

FEB 28 2007

WSGL WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP

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DATE: February 28, 2007

TO: Examiner John P. Leubecker  
TC Art Unit: 3739

Fax No.: 571-273-8300

FROM: Thomas O. Hoover

No. of pages transmitted  
(including this page): 2

Our File: NLI-002AX

Time:

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Sent by: Tanya

Application No. 10/092,033  
Filed Date: March 5, 2002  
Confirmation No.: 7761

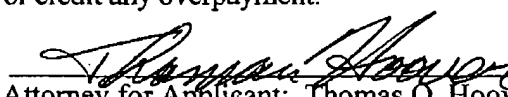
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MESSAGE

PLEASE DELIVER DIRECTLY TO:  
EXAMINER John P. Leubecker, Tel. (571) 272-4769  
TC ART UNIT NO: 3739

**FOR ENTRY**

Enclosed for filing please find a:  
Notice of Appeal

The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional filing fees associated with this communication or credit any overpayment.

  
Attorney for Applicant: Thomas O. Hoover  
Registration No. 32,470

326216.1

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Rev 01/07

**FEB 28 2007**Application No. 10/092,033  
Filed: 3/5/02  
TC Art Unit: 3739  
Confirmation No: 7761

WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP  
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Boston, Massachusetts 02109  
Telephone: (617) 542-2290  
Telecopier: (617) 451-0313

Date: February 28, 2007

Attorney  
Docket No.: NLI-002AX**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS**

In re application of: Stephen F. Fulghum

Entitled: AUTOFLUORESCENCE IMAGING SYSTEM FOR ENDOSCOPY

**VIA FACSIMILE**

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated August 28, 2006 of the Examiner finally rejecting claims 1-11 and 21-26.

The Commissioner is authorized to charge payment of \$500.00 to Deposit Account No. 23-0804 for the cost of the Notice of Appeal.

The following checked items are appropriate:

A timely response to the final rejection:

☐ has been filed ☐ is hereby filed

An extension of time to respond to the final rejection:

1. ☐ was requested on \_\_\_\_\_ for \_\_\_\_ month(s);
2. ☒ is hereby requested for 3 month(s) the Commissioner is authorized to charge payment of \$1,020.00 to Deposit Account No. 23-0804.
3. ☐ is included on the enclosed amendment transmittal form along authorization to charge \$\_\_\_\_\_ to Deposit Account No. 23-0804 for the extension fee.
- ☐ In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees under \$1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Leubecker, TC Art Unit 3739, Fax No. (571) 273 8300 on *February 28, 2007*

*Thomas O. Hoover*  
Attorney of Record: Thomas O. Hoover  
Registration No.: 32,470

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03/01/2007 AWONDAF1 00000097 230804 10092033

01 FC:1401 500.00 DA  
02 FC:1253 1020.00 DA